

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TEMAHAGARI RUBIN,

Defendant.

CASE NO. CR16-0278-JCC

ORDER

This matter comes before the Court on the parties' stipulated protective order (Dkt. No. 57). Plaintiff United States of America, Defendant Temahagari Rubin, and non-party Seattle Police Department ("SPD") have stipulated to the entry of a protective order regarding the use and distribution of records to be produced in response to the defendant's two subpoenas *duces tecum* directed to SPD, received on November 29, 2017 and December 5, 2017, respectively (the "Records"). Pursuant to the parties' stipulation, the Court ORDERS the following:

- 1) The purpose of this stipulation and agreed protective order is to expedite the requested Records to the Defense, while eliminating the burden that would be placed on SPD to comprehensively review and, where necessary, redact confidential information from the Records were the protective order not in place. Such redactions would be required by operation of law.
- 2) "Confidential information" is defined as dates of birth, telephone numbers, social security numbers, driver's license numbers, financial information, medical information,

1 WACIC/NCIC records, identifying information for juveniles, jail records, jail booking  
2 photographs, and employee identification numbers.

- 3 3) The Records shall not be used for any purpose other than in support of the  
4 prosecution/defense of the defendant in the above-entitled case. Counsel shall not  
5 disclose or permit the disclosure of any confidential information (as defined in Paragraph  
6 2) to the defendant or any other person or entity except for the Court and its personnel, to  
7 the extent necessary. Should counsel provide copies of the Records to the defendant,  
8 counsel must first redact the confidential information contained therein.
- 9 4) To the extent that counsel must provide the unredacted records to an expert, consultant,  
10 investigator, or another professional tasked with assisting the defense and/or prosecution  
11 of the defendant, counsel shall provide that individual or entity with a copy of this  
12 protective order and require execution of the certification contained in Attachment A,  
13 acknowledgment of understanding and agreement to be bound. The original executed  
14 acknowledgment of understanding and agreement to be bound shall be retained in  
15 counsel's file.
- 16 5) Should the Records be entered into evidence or publicly filed, they must have all  
17 confidential information redacted absent a court order.
- 18 6) When a final disposition in the above-entitled case has been reached in the trial court or  
19 when all appeals have been exhausted, other than the evidence retained by the  
20 investigating law enforcement agency, the Records shall be returned to SPD or destroyed  
21 within 30 days following final disposition of the trial or appellate court, unless otherwise  
22 agreed to by the parties and approved by the Court.
- 23 7) Any violation of any term or condition of this order may constitute contempt and may  
24 subject the party to monetary damages or other sanctions as deemed appropriate by the  
25 Court.  
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IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

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1 DATED this 27th day of December 2017.

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5 John C. Coughenour  
6 UNITED STATES DISTRICT JUDGE  
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2 EXHIBIT A

3 ACKNOWLEDGMENT AND AGREEMENT TO BE BOUND

4 I, \_\_\_\_\_ [print or type full name], of  
5 \_\_\_\_\_ [print or type full address], declare under penalty of  
6 perjury that I have read in its entirety and understand the Stipulated Protective Order that was  
7 issued by the United States District Court for the Western District of Washington on [\_\_\_\_\_] in  
8 the case of USA v. Temahagari Rubin, #16-cr-00278-JCC. I agree to comply with and to be bound  
9 by all the terms of this Stipulated Protective Order and I understand and acknowledge that failure  
10 to so comply could expose me to sanctions and punishment in the nature of contempt. I solemnly  
11 promise that I will not disclose in any manner any information or item that is subject to this  
12 Stipulated Protective Order to any person or entity except in strict compliance with the provisions  
13 of this Order.

14 I further agree to submit to the jurisdiction of the United States District Court for the  
15 Western District of Washington for the purpose of enforcing the terms of this Stipulated Protective  
16 Order, even if such enforcement proceedings occur after termination of this action.

17 Date: \_\_\_\_\_

18 City and State where sworn and signed: \_\_\_\_\_

19 Printed name: \_\_\_\_\_

20 Signature: \_\_\_\_\_